

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CYMEYON HILL,

Plaintiff,

v.

HER, et al.,

Defendants.

No. 2: 22-cv-1849 KJN P

ORDER

Plaintiff is a civil detainee, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed his complaint and application to proceed in forma pauperis on October 13, 2022. (ECF Nos. 1, 2). For the reasons stated herein, plaintiff is ordered to show cause why his application to proceed in forma pauperis should not be denied.

In his verified application to proceed in forma pauperis, plaintiff alleges that he has received no money over the last twelve months from various sources including gifts and other sources. (ECF No. 2 at 1.) Plaintiff alleges that he has no cash. (*Id.* at 2.)

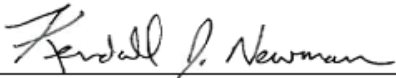
Plaintiff's prison trust account statement, filed October 17, 2022, indicates that as of September 20, 2022, plaintiff had \$5,221.90 in his prison trust account. (ECF No. 3 at 1.)

In evaluating plaintiff's in forma pauperis application, the court looks to whether plaintiff has submitted an affidavit that shows he "is unable to pay [the filing fee] or give security therefore." 28 U.S.C. § 1915(a)(1). Plaintiff's prison trust account statement indicates that

1 plaintiff is able to pay the filing fee of \$402.

2 Accordingly, IT IS HEREBY ORDERED that within twenty-one days of the date of this
3 order, plaintiff shall show cause why his application to proceed in forma pauperis should not be
4 denied and plaintiff be ordered to pay the filing fee. Failure to comply with this order will result
5 in a recommendation of dismissal of this action.

6 Dated: November 1, 2022

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8 KENDALL J. NEWMAN
9 UNITED STATES MAGISTRATE JUDGE

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